

Application Serial No.: 10/074,583
Amendment and Response to August 21, 2006 Final Office Action

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Claims 1 - 24 are in the application. Claims 1, 13, 17, 18, 22, and 24 are currently amended; claims 2 – 6, 9 – 12, 16, 19, and 21 were previously presented; claims 25 – 28 have been canceled cancelled; and claims 7, 8, 14, 15, 20, and 23 remain unchanged from the original versions thereof. Claims 1, 22, and 24 are the independent claims herein.

No new matter has been added to the application as a result of the amendments submitted herewith. Reconsideration and further examination are respectfully requested.

Claim Rejections – 35 USC § 112

Claim 13 was rejected under U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 13 is now amended to recite “the suggested security measure”, which is introduced in claim 6. Thus, there is sufficient antecedent basis for the recited aspects of claim 6.

Accordingly, Applicant respectfully requests the rejection of claim 13 under 35 USC 112, second paragraph be reconsidered and withdrawn.

Claim Rejections – 35 USC § 102

Claims 1 - 7 and 10 - 19 were rejected under 35 U.S.C. 102(b) as being anticipated by Teller-Kanzler et al. (EP 0999489 A2). This rejection is respectfully traversed.

Claim 1 is currently amended to recite, in part, automatically processing, by a computer, the information received to associate the received information with a first set of risk variables related to the particular security risk event, defining a second set of risk

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variables related to the particular security risk event, wherein the first set of risk variables and the second set of risk variables are different, and associating a portion of the received information related to the particular security risk event and not associated with the first set of risk variables with the second set of risk variables. Thus, it is clear that Applicant recites a process wherein a second set of risk variables are defined, the second set of risk variables are different than the first set of risk variables, and a portion of the received information related to the particular security risk event and not associated with the first set of risk variables is associated with the second set of risk variables. Support for the amendments of claim 1 may be found in the Specification at paragraph [0050].

The cited and relied upon Teller-Kanzler fails to disclose or even suggest the claimed process wherein a second set of risk variables are defined, the second set of risk variables are different than the first set of risk variables, and a portion of the received information related to the particular security risk event and not associated with the first set of risk variables is associated with the second set of risk variables. Teller-Kanzler does not disclose, for example, defining a second set of risk variables that are different than the first set of risk variables that are associated with a portion of the received information that is not associated with the first set of risk variables.

Accordingly, Applicant respectfully submits that claim 1 is patentable over the cited and relied upon Teller-Kanzler under 35 USC 102(b) since each and every aspect of claim 1 is not disclosed by Teller-Kanzler. Claims 2 – 7 and 10 – 19 depend from claim 1. Applicant respectfully submits that claims 2 – 7 and 10 – 19 are also patentable over the cited and relied upon Teller-Kanzler under 35 USC 102(b) for at least depending from an allowable base claim.

Claims 1, 6, 8 – 9 and 22 - 24 were rejected under 35 U.S.C. 102(e) as being anticipated by Townsend (US Patent Application Publication 2002/0188861). This rejection is respectfully traversed.

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Similar to Teller-Kanzler, the cited and relied upon Townsend also fails to disclose or even suggest all of the claimed aspects of claim 1. For example, Townsend also fails to disclose or even suggest the claimed a process of claim 1 wherein a second set of risk variables are defined, the second set of risk variables are different than the first set of risk variables, and a portion of the received information related to the particular security risk event and not associated with the first set of risk variables is associated with the second set of risk variables.

Accordingly, Applicant respectfully submits that claim 1 is patentable over the cited and relied upon Townsend under 35 USC 102(e) since each and every aspect of claim 1 is not disclosed by Townsend. Claims 6, 8, and 9 depend from claim 1. Applicant respectfully submits that claims 6, 8, and 9 are also patentable over the cited and relied upon Townsend under 35 USC 102(e) for at least depending from an allowable base claim.

Independent claims 22 and 24 are amended in a manner similar to claim 1 to recite aspects similar to those discussed above with regard to claim 1. Accordingly, Applicant respectfully submits that the arguments presented herein regarding claim 1 are applicable to claims 22 and 24 with respect to the cited and relied upon Townsend reference.

Applicant respectfully submits that claims 22 and 24 are patentable over the cited and relied upon Townsend under 35 USC 102(e) since each and every aspect of claims 22 and 24 are not disclosed by Townsend. Claim 23 depends from claim 22. Applicant respectfully submits that claim 23 is also patentable over the cited and relied upon Townsend under 35 USC 102(e) for at least depending from an allowable base claim.

Claim Rejections – 35 USC § 103

Claims 20 - 21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Teller-Kanzler et al. This rejection is respectfully traversed.

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Claims 20 and 21 depend from claim 1. Inasmuch as Applicant has clearly shown that Teller-Kanzler fails to disclose or suggest that for which it is cited and relied upon for disclosing with respect to claim 1, combining the actual disclosure of Teller-Kanzler (e.g., no disclosure or suggestion of a second set of security risk variables) with the alleged suggestions of Teller-Kanzler would not render claims 20 and 21 obvious under 35 USC 103(a).

Accordingly, Applicant respectfully submits that claims 20 and 21 are patentable over the cited and relied upon Teller-Kanzler under 35 USC 103(a).

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CONCLUSION

Accordingly, Applicants respectfully request allowance of the pending claims. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (203) 972-5985.

Respectfully submitted,

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Date



Randolph P. Calhoune
Registration No. 45,371
Buckley, Maschoff & Talwalkar LLC
Five Elm Street
New Canaan, CT 06840
(203) 972-5985